

REMARKS

Claims 23-44 and 52-56 are pending. Claims 23, 33, and 44 have been amended. No new matter has been added.

Claims 23-29, 32-37, 39-42, 44, and 53-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,772,831 to Casler et al. ("Casler"). Claims 30-31 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Casler in view of U.S. Patent No. 6,701,210 to Heber et al. ("Heber"). Claim 43 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Casler in view of U.S. Patent No. 5,325,472 to Horiuchi et al. ("Horiuchi").

Rejection of Claims 23-29, 32-37, 39-42, 44, and 53-56 under 35 U.S.C. § 102(b)

Claims 23-29, 32-37, 39-42, 44, and 53-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Casler. This rejection is respectfully traversed.

Casler fails to disclose each and every element recited in claims 23, 33, and 44. More specifically, Casler fails to disclose that "the profile is defined without any units," as recited in amended claims 23, 33, and 44. The specification recites, for example, that "the profile is defined without any units." Para. [0036]. Casler does not disclose that a profile is defined without any units. In fact, Casler is silent in this regard and, therefore, does not support a *prima facie* case of anticipation.

Thus, Casler fails to teach each and every element of claims 23, 33, and 44. Accordingly, claims 23, 33, and 44 are believed to be allowable over the cited art. Because independent claims 23, 33, and 44 are believed to be allowable, claims 24-32, 34-43, and 52-56 are also believed to be allowable for at least the reason that they depend on claims 23, 33, and 44. Therefore, it is respectfully requested that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Rejection of Claims 30-31 and 38 under 35 U.S.C. § 103(a)

Claims 30-31 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Casler in view of Heber. This rejection is respectfully traversed. Because independent claims 23 and 33 are believed to be allowable, claims 30-31 and 38 are also believed to be allowable for at least the reason that they depend on claims 23 and 33. Therefore, it is respectfully requested that the rejection under 35 U.S.C. § 103(a) be withdrawn.

Rejection of Claim 43 under 35 U.S.C. § 103(a)

Claim 43 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Casler in view of Horiuchi. This rejection is respectfully traversed. Because independent claim 33 is believed to be allowable, claim 43 is also believed to be allowable for at least the reason that it depends on claim 33. Therefore, it is respectfully requested that the rejection under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Based on the foregoing remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 50-3732, Order No. 03869-105012.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-3732, Order No. 03869-105012.

Respectfully submitted,
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